

**ERIE COUNTY LEGISLATURE
MEETING NO. 9
MAY 12, 2016**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Grant, who said a short prayer.

The Pledge of Allegiance was led by Mr. Savage.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 8 from 2016. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. BURKE presented a resolution Honoring and Applauding the Work of Firefighter Tom O'Leary, His Brothers in Ladder 14, and All First Responders at the Scene of the May 6 Fire on Moselle Street for Their Courageous and Selfless Acts.

Item 6 – MS. DIXON presented a resolution Congratulating Joshua Arthur Benham on Attaining the Rank of Eagle Scout.

Item 7 – MS. DIXON presented a resolution Congratulating Thomas John Sawyer on Attaining the Rank of Eagle Scout.

Item 8 – MS. DIXON presented a resolution Congratulating Philip Michael Wzientek on Attaining the Rank of Eagle Scout.

Item 9 – MR. LORIGO presented a resolution Honoring The Butterfly Foundation on the Successful Completion of its First Project, the Butterfly Athletic Park Playground, Which Provides a Tribute to Katie Durkin with a Lasting Location for Youth to Play and Enjoy the Outdoors.

Item 10 – MS. MILLER-WILLIAMS presented a resolution Congratulating Marisa Wigglesworth on Being Named the New President and CEO of the Buffalo Museum of Science.

Item 11 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-

WILLIAMS & MR. SAVAGE presented a resolution Recognizing and Thanking Thomas Dearing for His Many Years of Public Service to the Residents of Erie County and to Extend Congratulations on his Well-Earned Retirement.

Item 12 – MR. RATH, MR. MILLS, MR. LORIGO, MS. DIXON, MR. HARDWICK & MR. MORTON presented a resolution Honoring Retired New York State Senator Mary Lou Rath on Her Exceptional Longtime Public Service to the Residents of WNY and to Congratulate Her Receiving the 2016 Woman of Distinction Award from the Erie County Federation of Republican Women.

MR. LORIGO moved for consideration of the above eight items. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above eight items by adding one miscellaneous resolution for MR. MORTON, and to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above nine items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 13 – CHAIR MILLS directed that Local Law No. 2 (Print #3) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 20 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 80

May 5, 2016	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 8E-15 (2016)
COUNTY EXECUTIVE

WHEREAS, group respite programs provide a safe, supervised, entertaining environment for memory impaired adults, thereby allowing their family caregivers temporary relief; and

WHEREAS, the Department of Senior Services is working to cost efficiently expand services for frail older adults in Erie County by partnering with faith-based and other local senior organizations to provide group respite programs; and

WHEREAS, partner institutions need assistance in setting up these programs; and

WHEREAS, the Department of Senior Services desires to extend the contract, previously approved in 6/25/15 COMM. 12E-13 with consultant, Ms. Lisa Rood, for the period April 1, 2016 through December 31, 2016 at a cost not to exceed \$5,000 to assist with the creation of additional group respite programs; and

WHEREAS, the Department of Senior Services has identified four additional area churches, Williamsville United Methodist Church, Kenmore United Methodist Church, Primera Iglesias Metodista Unida de Buffalo, and South Park United Methodist Church, as well as the Clarence Senior Center as interested in beginning this initiative; and

WHEREAS, the Department plans on providing each of the identified entities with a one time payment of \$1,000 to cover program start up expenses; and

WHEREAS, budgetary appropriations are available in the 163III-E2016 grant's Professional Services Contracts and Fees account to fund the contracts with the consultant and churches.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to extend the previously approved consultant contract with Lisa Rood, for the period April 1, 2016 through December, 31, 2016 , at a cost not to exceed \$5,000 to assist with the expansion of the group respite program; and be it further

RESOLVED, that the County Executive be and is hereby authorized to enter into contracts, not to exceed \$1,000 each, with Williamsville United Methodist Church, Kenmore United Methodist Church, Primera Iglesias Metodista Unida de Buffalo, South Park United Methodist Church, and the Clarence Senior Center, to begin group respite programs; and be it further

RESOLVED, that budgetary appropriations in the 163III-E2016 grant's Professional Services Contracts and Fees account be utilized to fund the contracts with the consultant and group respite providers; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Comptroller's Office, and the Department of Senior Services.
(6-0)

2. COMM. 8E-16 (2016)

COUNTY EXECUTIVE

WHEREAS, the New York State Office for the Aging (NYSOFA) has recently awarded the Department of Senior Services \$31,930 of Medicare Improvements for Patients and Provider Act (MIPPA) grant funds for the period September 30, 2015 through September 29, 2016; and

WHEREAS, the funds are to be utilized for the purpose of enhancing the Department's outreach efforts to beneficiaries on Medicare Part D, particularly those on limited incomes or living in rural areas of the County, as well as informing, all Medicare beneficiaries about Medicare prevention and wellness benefits; and

WHEREAS, the grant is 100% federally funded and does not require a local share; and

WHEREAS, the Department of Senior Services desires to contract, at a cost not to exceed \$7,500, with the University at Buffalo's Institute on Innovative Aging Policy and Practice, to identify and implement new strategies for improving public education and outreach; and

WHEREAS, the anticipated spending of up to \$3,000 on translation services; and

WHEREAS, the anticipated spending of up to \$12,000 for direct mailing and postage; and

WHEREAS, the anticipated spending of up to \$9,430 for advertisement to promote outreach events.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to enter into a contract with NYSOFA to accept the MIPPA funding for the period September 30, 2015 to September 29, 2016; and be it further

RESOLVED, the County Executive be and is hereby authorized to contract with the University at Buffalo Institute on Innovative Aging Policy and Practice, at a cost not to exceed \$7,500; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into contracts and amendments with NYSOFA and the University at Buffalo Institute on Innovative Aging Policy and Practice to effectuate adjusted funding levels; and be it further

RESOLVED, that the budget for the 163MIPPA/ADRC1516 grant, be established as follows:

REVENUE		INITIAL BUDGET
Account	Description	
414000	Federal Aid	<u>\$31,930</u>
	TOTAL	<u>\$31,930</u>

APPROPRIATION		INITIAL BUDGET
Account	Description	
516020	Professional Services & Fees	<u>\$31,930</u>
	TOTAL	<u>\$31,930</u>

and be it further

RESOLVED, that, the Director of Budget and Management is hereby authorized to adjust the budget as required to comply with the NYSOFA approved funding levels; and be it further.

RESOLVED, that certified copies of this resolution be forwarded to the County Executive Office, the County Attorney, the Division of Budget and Management, the Comptroller's Office and the Department of Senior Services.

(6-0)

3. COMM. 8E-17 (2016)

COUNTY EXECUTIVE

WHEREAS, the New York State Office for the Aging (NYSOFA) has recently awarded the Department of Senior Services \$20,000 of Aging Mastery Program (AMP) grant funds for the period January 1, 2016 to March 31, 2017; and

WHEREAS, the funds are to be utilized for the purpose of implementing the The Aging Mastery Program® for Older adults in Erie County; and

WHEREAS, the grant is 100% state funded and does not require a local share; and

WHEREAS, the Department of Senior Services desires to contract, at a cost not to exceed \$10,000 per subcontractor, with the Buffalo Federation of Neighborhood Centers Inc. and the Town of Hamburg, to implement the Aging Mastery Program in their communities.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to enter into a contract with NYSOFA to accept the AMP funding for the period January 1, 2016 to March 31, 2017; and be it further

RESOLVED, the County Executive be and is hereby authorized to contract with the Buffalo Federation of Neighborhood Centers Inc. and the Town of Hamburg by and through the Town of Hamburg Senior Services, at a cost not to exceed \$10,000 per subcontractor; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into contracts and amendments with NYSOFA and the Buffalo Federation of Neighborhood Centers Inc. and the Town of Hamburg by and through Town of Hamburg Senior Services to effectuate adjusted funding levels; and be it further

RESOLVED, that the budget for the 163AMP1617 grant, be established as follows:

REVENUES		INITIAL BUDGET
Account	Description	
409000	State Aid	<u>\$20,000</u>
	TOTAL	<u>\$20,000</u>

APPROPRIATIONS		INITIAL BUDGET
Account	Description	
516020	Professional Services & Fees	<u>\$20,000</u>
	TOTAL	<u>\$20,000</u>

and be it further

RESOLVED, that, the Director of Budget and Management is hereby authorized to adjust the budget as required to comply with the NYSOFA approved funding levels; and be it further.

RESOLVED, that certified copies of this resolution be forwarded to the County Executive Office, the County Attorney, the Division of Budget and Management, the Comptroller's Office and the Department of Senior Services.

(6-0)

4. COMM. 8E-18 (2016)
COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the Department of Senior Services' four Year Plan with the New York State Office for Aging identified the need to expand the number and variety of elderly communities that are aware of and receive services from the Department of Senior Services; and

WHEREAS, the Department of Senior Services issued a RFP to select a consultant to assist in developing a communications plan and assess past print communications and social media efforts to identify improvements as well as providing staff training to effectively communicate and implement the new messaging plan; and

WHEREAS, Legislative resolution 9E-9 dated May 14, 2015 authorized the Department of Senior Services to contract with AMDG Public Affairs, at a cost not to exceed \$15,000 to function as the consultant to develop, and implement a communication plan for the Department for the period June 1, 2015 through March 31, 2016; and

WHEREAS, additional time, through September 30, 2016 is needed to implement the plan; and

WHEREAS, contract appropriations remain available in the 163CONNECTS1516 grant to pay for these consulting services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to extend the contract with AMDG Public Affairs, to assist in continuing to develop and implement the communications plan for the Department during the period April 1, 2016 through September 30, 2016, and be it further

RESOLVED, that existing appropriations in the 163CONNECTS1516 grant Professional Services Contracts and Fees account be utilized to pay for these consulting services, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Department of Senior Services.

(6-0)

LYNNE M. DIXON
CHAIR

Item 21 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 81

May 5, 2016

COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LOUGHRAN.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 4M-1 (2016)
BUFFALO & EC PUBLIC LIBRARY: “Feb. 18, 2016 Board of Trustees Agenda”
(5-0)
 - b. INTRO. 5-1 (2016)
BURKE: “Preservation of Buffalo's History”
(5-0)
 - c. COMM. 6M-3 (2016)
BUFFALO & EC PUBLIC LIBRARY: “Mar. 17, 2016 Board of Trustees Agenda”
(5-0)
 - d. COMM. 7E-7 (2016)
COMPTROLLER: “Audited Financial Statements and Management Letter for ECC for FY Ended Aug. 31, 2015”
(5-0)
 - e. COMM. 7M-2 (2016)
ERIE COMMUNITY COLLEGE: “Financial Statements and Supplementary Information for Years Ended Aug. 31, 2015 & 2014, and Other Information”
(5-0)
 - f. COMM. 8M-4 (2016)
BUFFALO & EC PUBLIC LIBRARY: “Apr. 21, 2016 Board of Trustees Agenda”
(5-0)
2. COMM. 8E-22 (2016)
COUNTY EXECUTIVE

WHEREAS; The Erie Community College Board of Trustees approved Starfish by Hobsons as a vendor after a RFP process at their February 26, 2015 Board Meeting; and

WHEREAS; Starfish by Hobsons was the firm approved with a maximum contract price not to exceed \$58,200 for the second year which is the SUNY/NYS pricing; and

WHEREAS; the Erie County Legislature must approve contracts in excess of \$50,000 for the College; and

WHEREAS; Starfish by Hobsons will continue to assist Erie Community College with the integration of an early warning software program to provide tailored interventions with at-risk students, thereby improving the persistence, retention and graduation rates of students; and

WHEREAS; Starfish by Hobsons was chosen as the provider for an early warning software program. The software was implemented in the fall of 2015 with a pilot group of approximately

2600 students. Plans for college-wide implementation will occur in the fall of 2016. Participation in the early warning program will assist students in receiving timely and more holistic services to increase their chances of academic success.

WHEREAS; ECC has adequate operating funds available to fund this expense.

NOW, THEREFORE, BE IT

RESOLVED; that the Erie County Legislature hereby approves awarding a contract to Starfish by Hobsons for the purpose of the integration of an early warning system for Erie Community College students at a cost to the college not to exceed \$58,200; and be it further

RESOLVED, the President is authorized to enter a contract with Starfish by Hobsons for the above mentioned services, and be it further

RESOLVED, that copies of the resolution be forwarded to the Erie County Executive, the President of ECC, and the Chairman of the ECC Board of Trustees.

(5-0)

3. COMM. 8E-23 (2016)

COUNTY EXECUTIVE

WHEREAS; The Erie Community College Board of Trustees approved a contract for managed print services with Toshiba after a RFP process at their March 23, 2016 Board of Trustees meeting; and

WHEREAS; Toshiba was the firm approved with a calculated price based upon an estimated volume utilization of approximately \$335,000 annually; and

WHEREAS; the Erie County Legislature must approve contracts in excess of \$50,000 for the College; and

WHEREAS; the contract with Toshiba will yield both cost and operational savings; and

WHEREAS; ECC has adequate operating funds available to fund this expense.

NOW, THEREFORE, BE IT

RESOLVED; that the Erie County Legislature hereby approves awarding a contract to Toshiba with pricing as contained in its January 11, 2016 response to the RFP issued by ECC; and be it further

RESOLVED, the President is authorized to enter a contract with Toshiba for the above mentioned services, and be it further

RESOLVED, that copies of the resolution be forwarded to the Erie County Executive, the President of ECC, and the Chairman of the ECC Board of Trustees.

(5-0)

KEVIN R. HARDWICK
CHAIR

Item 22 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 82

May 5, 2016	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5M-4 (2016)
TAMARA POINDEXTER: “Follow-Up Letter Regarding Buffalo Urban League Discussion”
(6-0)
 - b. COMM. 6E-10 (2016)
COMPTROLLER: “2015 Year End Sales Tax Report & Analysis”
(6-0)
 - c. COMM. 7E-20 (2016)
COMPTROLLER: “Department of Law Risk Retention Fund Spending 2012-2016”
(6-0)
 - d. COMM. 8E-12 (2016)
MILLS, LORIGO, DIXON, HARDWICK, MORTON & RATH: “Letter to County Executive Regarding Lead Poisoning Prevention Services Initiative”
(6-0)
 - e. COMM. 8E-13 (2016)
MILLS, LORIGO, DIXON, HARDWICK, MORTON & RATH: “Letter to Buffalo Common Council Regarding Invitation to Attend Committee Meeting Regarding Lead Poisoning Prevention Initiative”
(6-0)
 - f. COMM. 8M-7 (2016)
BUFFALO COMMON COUNCIL: “Response Letter Regarding Invitation to Attend Committee Meeting Regarding Lead Poisoning Issue”
(6-0)
2. COMM. 8E-21 (2016)

COUNTY EXECUTIVE

WHEREAS, the below grant programs are included in Book B of the 2016 Adopted Budget;
and

WHEREAS, the 2016 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 2016.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State, Federal or other funding sources, for the following grant programs:

2016 Book B Adopted Grants

Department - Grant Title	Grant Start Date	Total Appropriation
Dept. of Law/County Attorney		
Aid To Localities-Indigent Defense	4/1/16	184,200
Total Department		184,200
Central Police Services		
Aid to Crime Labs	7/1/16	1,450,849
DNA Backlog Reduction Program	1/1/16	627,535
Gun Involved Violence Elimination	7/1/16	164,298
National Forensic Sciences Improvement Act	10/1/16	24,469
Child Passenger Safety (Car Seat)	10/1/16	7,500
Total Department		2,274,651
District Attorney		
Aid to Prosecution	10/1/16	1,806,644
BE-SAFE	10/1/16	303,602
Crimes Against Revenue Program	1/1/16	486,258
Federal Family Violence Prevention Svcs Act	4/1/16	60,133
Gun Involved Violence Elimination	7/1/16	777,854
Motor Vehicle Theft & Ins Fraud Prev	1/1/16	131,289
STOP Violence Against Women	1/1/16	113,337
Victim/Witness Assistance	10/1/16	634,200
Total Department		4,313,317
Probation		
200% of Poverty Alternative to Incarceration	1/1/16	115,210
ATI Community Service Sentencing	7/1/16	91,047
ATI Pre-Trial	7/1/16	242,575
BE-SAFE	10/1/16	83,794
Conditional Release Program	7/1/16	203,179

Gun Involved Violence Elimination	7/1/16	247,045
Intensive Supervision Program	1/1/16	327,902
Office of Victim Services	10/1/16	77,062
Total Department		1,387,814

Sheriff

Gun Involved Violence Elimination	7/1/16	227,373
Total Department		227,373

Senior Services

Areawide Agency on Aging	1/1/16	1,551,472
Community Services for the Elderly	4/1/16	1,912,331
Congregate Dining Nutrition	1/1/16	2,211,707
Congregate Services Initiative	4/1/16	38,616
Direct Care Worker	4/1/16	354,818
Disease Prevention & Health Promotion Services	1/1/16	158,388
Elder Caregiver Support	1/1/16	747,428
Expanded In-Home Services for the Elderly	4/1/16	3,497,126
Hlth Insurance Info, Counseling & Assistance	4/1/16	64,523
Home Delivered Nutrition	1/1/16	927,035
Medicare Improvements for Patients & Providers		
Act-ADRC	9/30/16	33,376
New York Connects	10/1/16	174,616
Nutrition Services Incentive Program	10/1/16	677,068
NYS Areawide Agency on Aging Transportation	4/1/16	61,463
NYS Retired Senior Volunteer Program	4/1/16	6,321
Retired Senior Volunteer Program	4/1/16	168,021
Senior Aides	7/1/16	881,384
Senior Community Services Employment	7/1/16	307,211
Wellness in Nutrition	4/1/16	1,382,600
Total Department		15,155,504

Health

Barbells for Boobs	8/1/16	20,000
Breast & Cervical Cancer Early Detection	6/30/16	180,000
Expanded Partner Services	4/1/16	107,103
Expanded Syringe Access and Disposal Project	7/1/16	78,300
Family Planning Services	1/1/16	603,207
HIV Partner Notification Program	10/1/16	218,500
Immunization Action Plan	4/1/16	300,000
Komen for the Cure of Breast Cancer CSP	4/1/16	35,250
Partners for Prevention Clinical Services CSP	4/1/16	144,072
Partners for Prevention Infrastructure CSP	4/1/16	270,050
PREP & Other HIV Prevention Services	4/1/16	40,000
Public Health Campaign STD	4/1/16	166,013
Public Health Campaign TB	3/31/16	346,323
STD Outreach Intervention	1/1/16	213,427
Medical Response Corps	1/1/16	3,500

PH Preparedness/Response to Bioterrorism	7/1/16	590,269
Beach Water Quality Monitoring	10/1/16	12,855
Childhood Lead Poisoning Prevention	10/1/16	573,149
Enhanced Drinking Water Protection	4/1/16	135,506
Healthy Neighborhoods	4/1/16	300,000
Lead Poisoning Primary Prevention	4/1/16	1,147,822
Public Health Laboratory Response Network	7/1/16	25,000
Youth Tobacco Enforcement & Prevention	4/1/16	237,960
Highway Safety	10/1/16	39,900
Medical Examiner Toxicology Lab Aid	7/1/16	90,000
National Forensic Science Improvement	10/1/16	21,542
Total Department		5,899,748
County Executive		
Office of Workforce Development	1/1/16	243,992
Total Department		243,992
Environment & Planning		
Community Development Block Grant	4/1/16	4,055,862
Total Department		4,055,862
Library		
Central Library Book Aid	1/1/16	64,134
Central Library Development Aid	1/1/16	278,007
Continuity of Service	1/1/16	44,848
NYS Library System Automation	1/1/16	68,618
Coordinated Outreach	1/1/16	151,510
Library Svcs to County Correctional Facilities	4/1/16	7,865
Library Svcs to State Correctional Facilities	1/1/16	41,012
Total Department		655,994
Grand Total		34,398,455

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts with community agencies funded under the above grants as indicated in Book B of the 2016 Adopted Budget; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues, including contractual agency amounts, based on grantor requirements or county share adjustments, provided there are no changes to authorized personnel levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: District Attorney, the Office of the Sheriff, Probation, Senior Services, Central Police Services, the Library, the Health Department, the Office of the Comptroller, the Department of

Environment and Planning, the County Attorney's Office and the Division of Budget and Management.
(6-0)

JOSEPH C. LORIGO
CHAIR

Item 23 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 83

May 5, 2016	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 8E-8 (2016)
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the Erie County Home – Perimeter Fencing project on November 8, 2013; and

WHEREAS, the lowest responsible bidder is Alexcoe LLC d/b/a Atlas Fence; and

WHEREAS, the Erie County Department of Public Works is recommending award of the contract to the lowest responsible bidder; and

WHEREAS, the lowest responsible bidder agreed to hold their base bid price from 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Home – Perimeter Fencing project for an amount not to exceed as follows:

<u>Alexcoe LLC d/b/a Atlas Fence</u>	<u>Base Bid:</u>	<u>\$109,495.00</u>
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;and be further

RESOLVED, that the sum of \$22,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project accounts as follows:

A.20903 – 2009 Countywide Fire Alarm & Security Improvements	\$53,000.00
A.11005 – 2011 Countywide Building & Facility Improvements	\$30,000.00
A.14003 – 2014 Countywide Code & Environmental Compliance	\$41,495.00
<u>A.15003 – 2015 Countywide Code & Environmental Compliance</u>	<u>\$ 7,000.00</u>
Total not to exceed:	\$131,495.00

;and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

2. COMM. 8E-9 (2016)

COUNTY EXECUTIVE

WHEREAS, Erie County is desirous of undertaking Phase 1B of the Evans Shoreline Trail (aka Shoreline Trail – Beaches Section) in the Town of Evans; and

WHEREAS, said section shall extend from Erie County's Bennett Beach Park to the Evans Town Park; and

WHEREAS, Erie County has secured \$480,938 in State and Federal funds for the project; and

WHEREAS, contracts have been executed with each applicable utility in 2013 and 2014 and all necessary infrastructure work has been completed; and

WHEREAS, the Erie County Legislature on October 13, 2013 adopted Communication 17E-12 (2013) which identified SAP Account No. A.00213 as the funding source not to exceed \$40,000 for those costs to be incurred by various utilities including but not limited to Verizon, Time Warner Cable and National Grid; and

WHEREAS, said utilities have since completed infrastructure relocation work associated with the Evans-Lakeshore Trail; and

WHEREAS, it has been determined that adequate funds are not available in SAP Account No. A.00213 due to the consumption of said funds by the primary construction contractor; and

WHEREAS, it is now necessary to revise the funding source for the cost of the utility work not to exceed \$40,000 from SAP Account No. A.00213 to SAP No. A.00344;

NOW, THEREFORE, BE IT

RESOLVED, that the funds for said utility infrastructure work not to exceed \$40,000 is available within the Erie County Department of Environment and Planning Budget in SAP Account No. A.00344; and it be it further

RESOLVED, that the certified copies of this resolution shall be forwarded to the Office of the County Executive; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget and Management; the Comptroller's Office and the County Attorney.

(6-0)

3. COMM. 8E-10 (2016)

COUNTY EXECUTIVE

WHEREAS, the County recognizes the need to properly train its employees to protect their health and well being, and to comply with applicable state and federal regulations; and

WHEREAS, Erie County's Division of Sewerage Management has applied for funds from the Western New York Council on Occupational Safety & Health through a New York State Department of Labor Hazard Abatement Board training grant.

NOW, THEREFORE, BE IT

RESOLVED, that an agreement between the County of Erie and the Western New York Council on Occupational Safety & Health to provide health and safety training to the Division of Sewerage Management and Sewer District employees is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send one certified copy each to the County Executive, the Director of Budget and Management, the Erie County Comptroller, and Kristen Walder, County Attorney; and two certified copies of this resolution to Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(6-0)

TED B. MORTON
CHAIR

Item 24 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 84

May 5, 2016	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LOUGHRAN.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8M-5 (2016)
EC INDUSTRIAL DEVELOPMENT AGENCY: “2015 Annual Financial Statements”
(5-0)
 - b. COMM. 8M-6 (2016)
BUFFALO & EC NAVAL & MILITARY PARK: “Mar. 24, 2016 Board of Directors Minutes”
(5-0)

2. COMM. 8E-3 (2016)
COUNTY EXECUTIVE

WHEREAS, the County of Erie (“County”) desires to coordinate construction with the Erie County Water Authority (“ECWA”) on locations within the County highway right-of-way including Evans Street CR195 and Wehrle Drive CR290, in the Town of Williamsville and Seneca Street CR215, in the Town of West Seneca as part of the 2015 Overlay B Project (“Project”); and

WHEREAS, the County initiated the Project and the ECWA has agreed by resolution at their meeting of December 17, 2015 to reimburse the County for construction costs incurred for milling and paving of road portions located within the County highway right-of-way and Project limits in amount not to exceed \$340,300; and

WHEREAS, it is necessary for the County to accept the reimbursement funds from the ECWA and increase the Project budget by the same amount in order to defray a portion of the construction costs of the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Public Works be authorized, on behalf of the County, to facilitate the coordination of the Project with the ECWA on Evans Street CR195 and Wehrle Drive CR290, in the Town of Williamsville and Seneca Street CR215, in the Town of West Seneca, and be it further

RESOLVED, that reimbursement funds, not to exceed \$340,300 be accepted from the ECWA, and deposited into Fund 420, BA 123, B.15019, 2015 Capital Overlay Program towards project expenditures, and be it further,

RESOLVED, that Fund 420, BA 123, B.15019, 2015 Capital Overlay Program budget be increased by the amount of \$340,300 as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
420499	Other Local Source Rev	\$ 0	\$ 340,300	\$ 340,300
486000	Interfund Rev Subsidy	<u>\$ 14,811,400</u>	<u>\$ 0</u>	<u>\$ 14,811,400</u>

TOTAL REVENUES		<u>\$ 14,811,400</u>	<u>\$ 340,300</u>	<u>\$ 15,151,700</u>
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APPROPRIATIONS

Capital Projects	Capital Project Exp	\$ 13,511,400	\$ 340,300	\$ 13,851,700
Unallocated	Unallocated	<u>\$ 1,300,000</u>	<u>0</u>	<u>\$ 1,300,000</u>

TOTAL APPROPRIATIONS		<u>\$ 14,811,400</u>	<u>\$ 340,300</u>	<u>\$ 15,151,700</u>
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and be it further,

RESOLVED, that the amount of \$340,300 from Fund 420, BA 123, B.15019, 2015 Capital Overlay Program budget be made available for the Project, and be it further

RESOLVED, that the Division of Budget and Management be authorized to make the necessary budgetary adjustments as stated in this resolution.

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

3. COMM. 8E-4 (2016)

COUNTY EXECUTIVE

WHEREAS, the Erie County Water Authority (“ECWA”) began utility reconstruction work in September of 2015 on Seneca Street (“Seneca”) CR215, Town of West Seneca; and

WHEREAS, the ECWA utility work left seventy-five (75) open trenches, which traversed the width of the street, along the length of Seneca; and

WHEREAS, Occhino Corporation (“Occhino”) was directed by the Erie County Department of Public Works (“DPW”) to place a layer of asphalt on Seneca, to minimize the safety hazard created by the open trenches; and

WHEREAS, the work was completed by Occhino in December, 2015, at a cost of \$273,871.92; and

WHEREAS, the job was not formally bid due to the nature and timing of the safety hazard and no contract or purchase order was created in order to pay for the work; and

WHEREAS, the work was completed by Occhino in December 2015, at a cost of \$273,871.92 and the contractor must be paid.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes DPW to submit a purchase requisition to the Division of Purchase in order to issue a purchase order to Occhino for payment of an invoice in the amount of \$273,871.92, for placement of a layer of asphalt on Seneca Street in December 2015; and be it further

RESOLVED, that the payment for this work be made from SAP project B.15019, Fund 420, BA 123, in the amount of \$273,871.92; and be it further

RESOLVED, that the Office of the Comptroller be authorized and hereby directed to make payment to Occhino; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller, and the Division of Purchase.
(5-0)

4. COMM. 8E-5 (2016)

COUNTY EXECUTIVE

WHEREAS, the Safety Improvements at the Intersection of CR 432 (Sibley Road.) and CR 409 (Genesee Road.), Project PIN 5760.99 (the "Project") is eligible for funding under the Federal Transportation Alternatives Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, under the Transportation Alternatives Program the Federal cost share is limited to the amount set forth in the agreement with NYSDOT with any additional costs borne 100% by the local sponsor; and

WHEREAS, the New York State Department of Transportation has agreed to reimburse the County the Federal cost share (90%) of the Project's Preliminary Engineering and Right of Way Incidental phases; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project; and

WHEREAS, the total Preliminary Engineering and Right of Way Incidental phases of the Project is \$110,000 and the County is required to provide the local share portion of the Project phase in the amount of \$11,000.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby approves the Safety Improvements at the Intersection of Sibley Rd. and CR 409 (Genesee Rd.) and NY 240 federal aid project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.15015, 2015 Highway Safety Program, Fund Center 123, Fund 420, be increased by the anticipated Federal revenue in the amount of \$54,000 as follows:

REVENUES		CURRENT	INCREASE/ DECREASE	REVISED
Account	Description	BUDGET		BUDGET
405160	NYS Marchiselli	\$ 0	\$ 0	\$ 0
414000	Federal Aid	\$ 0	\$ 99,000	\$ 99,000
475000	Gen Oblig Bond Proc	<u>\$ 400,000</u>	<u>\$ 0</u>	<u>\$ 400,000</u>
TOTAL REVENUES		<u>\$ 400,000</u>	<u>\$ 99,000</u>	<u>\$ 499,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$400,000</u>	<u>\$ 99,000</u>	<u>\$ 499,000</u>
TOTAL APPROPRIATIONS		<u>\$400,000</u>	<u>\$ 99,000</u>	<u>\$ 499,000</u>

; and be it further

RESOLVED, that the estimated total sum of Project phase \$110,000.00 is hereby appropriated from B.15015, 2015 Highway Safety Program and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phase exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(5-0)

5. COMM. 8E-6 (2016)
COUNTY EXECUTIVE

WHEREAS, the Safety Improvements at the Intersection of CR 118 (Colvin Blvd.) and CR 196 (Brighton Rd.), Project PIN 5760.97 (the "Project") is eligible for funding under the Federal Transportation Alternatives Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, under the Transportation Alternatives Program the Federal cost share is limited to the amount set forth in the agreement with NYSDOT with any additional costs borne 100% by the local sponsor; and

WHEREAS, the New York State Department of Transportation has agreed to reimburse the County the Federal cost share (90%) of the Project's Preliminary Engineering and Right of Way Incidental phases; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project; and

WHEREAS, the total Preliminary Engineering and Right of Way Incidental phases of the Project is \$60,000 and the County is required to provide the local share portion of the Project phase in the amount of \$6,000.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby approves the Safety Improvements at Colvin Boulevard and Brighton Intersection federal aid Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.15015, 2015 Highway Safety Program, Fund Center 123, Fund 420, be increased by the anticipated Federal revenue in the amount of \$54,000 as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
405160	NYS Marchiselli	\$ 0	\$ 0	\$ 0
414000	Federal Aid	\$ 0	\$ 54,000	\$ 54,000
475000	Gen Oblig Bond Proc	<u>\$ 400,000</u>	<u>\$ 0</u>	<u>\$ 400,000</u>
TOTAL REVENUES		<u>\$ 400,000</u>	<u>\$ 54,000</u>	<u>\$ 454,000</u>

APPROPRIATIONS

Capital Projects	Capital Project Exp	<u>\$400,000</u>	<u>\$ 54,000</u>	<u>\$ 454,000</u>
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TOTAL APPROPRIATIONS		<u>\$400,000</u>	<u>\$ 54,000</u>	<u>\$ 454,000</u>
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; and be it further

RESOLVED, that the estimated total sum of Project phase \$60,000.00 is hereby appropriated from B.15015, 2015 Highway Safety Program and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phase exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(5-0)

6. COMM. 8E-7 (2016)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Transportation has requested a temporary easement and a fee taking of County land, SBL No. 159.00-1-24 for Hoover Road improvements located adjacent to the Southtowns Advanced Wastewater Treatment Facility property; and

WHEREAS, these actions would have no long term negative affect on the ability of Erie County Sewer District No. 3 to operate and maintain the Southtowns Advanced Wastewater Treatment Facility; and

WHEREAS, the New York State Department of Transportation has offered \$20,925.00 for the fee taking and \$2,950.00 for the temporary easement for a total amount of \$23,875.00; and

WHEREAS, the New York State Department of Transportation will pay the County of Erie a total amount of \$23,875.00

NOW, THEREFORE BE IT

RESOLVED, that an easement for use of the southeasterly portion of Parcel SBL No. 159.00-1-24 be granted to New York State Department of Transportation; and be it further

RESOLVED, that the Commissioner of the Erie County Department of Environment and Planning, be authorized to execute all documents associated with this fee taking and temporary easement subject to approval by the County Attorney; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller's Office, and Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning.

(5-0)

EDWARD A. RATH, III
CHAIR

Item 25 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 85

May 5, 2016	PUBLIC SAFETY COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 8M-10 (2016)

NYS COMPTROLLER: "NYS Audit of Ignition Interlock Program Monitoring"

(6-0)

b. COMM. 8M-11 (2016)

NYS COMPTROLLER: "Letter Regarding NYS Audit of Ignition Interlock Program Monitoring & EC Response"

(6-0)

2. COMM. 8E-19 (2016)

SHERIFF

WHEREAS, school resource officers (SRO) provide school districts with a law enforcement presence for student protection, mentoring, and community policing; and

WHEREAS, the Erie County Sheriff's Office provides law enforcement services for the Village of Gowanda and Deputies are familiar with the school district and the local leaders; and

WHEREAS, the sheriff's office has entered into similar agreements with Gowanda Central School District in previous years; and

WHEREAS, the Gowanda Central School District is requesting to enter into a new agreement with the Erie County Sheriff's Office and the County of Erie for a Deputy Sheriff - Criminal position for the school district; and

WHEREAS, the Gowanda Central School District will fully fund the SRO position and reimburse the Erie County Sheriff's Office for costs associated with the SRO; and

WHEREAS, the Erie County Sheriff's Office needs to create one (1) Deputy Sheriff - Criminal position for the Gowanda Central School District SRO.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with the Gowanda Central School District for a School Resource Officer; and be it further

RESOLVED, authorization is granted to create one Deputy Sheriff - Criminal position within the Erie County Sheriff's Office is created to fulfill the Gowanda Central School District School Resource Officer agreement; and

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Office of the Comptroller, the County Attorney and the Office of the Sheriff.
(6-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

None.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 26 - MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 7E-17. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 86

RE: 2015 Year-End Budget Balancing

** Further action was taken on this
item at Session 10 (2016) **

Amendments and Designations
(COMM. 7E-17, 2016)

WHEREAS, year-end budget balancing amendments are necessary to close the County's books and prepare financial statements for review by the County's independent auditors for the 2015 fiscal year; and

WHEREAS, amendments were identified in cooperation with the Erie County Comptroller's Office and in consultation with departmental accountants based on year-end financial reports; and

WHEREAS, existing 2015 funding within the Division of Information and Support Services, the County Clerk Registrar Division and Auto Bureau Division, the Department of Social Services, Division of Buildings and Grounds, the Medical Examiner's Office, the County Attorney's Risk Retention Fund, Environment and Planning, the Highway Fund the Buffalo and Erie County Public Library, is established as fund reservations and designated for re-appropriation into 2016; and

WHEREAS, additional 2015 fund transfers are also requested in order to designate funding for specific projects which will be re-appropriated into 2016 to maintain a balanced budget and provide additional services.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust the 2015 Budget in order to facilitate the completion of 2015 financial statements, based on the following schedule:

2015 Year End Budget Balancing Amendments

The following list of accounts is balanced by fund and indicates where adjustments are needed to match year-end spending. In most cases the source of funds was obtained from within the department from where the shortfall occurred.

Department	Account	Increase/ (Decrease)
General Fund 110 - Expense Adjustments		
105	Information and Support Services	
	500350 Other Employee Payments	(15,477)
	501000 Overtime	15,584
	516030 Maintenance Contracts	(35,783)
	545000 Rental Charges	35,676
	<u>DISS Total</u>	<u>0</u>
120	Department of Social Services	
	500000 Full Time - Salaries	(5,920,000)
	501000 Overtime	(466,000)
	502000 Fringe Benefits	1,662,729
	516020 Pro Ser Cnt and Fees	(299,473)

	516450	Interpreter Srv Contract	22,000
	525000	MMIS-Medicaid Local Share	(4,888,898)
	525020	UPL Expense	10,084,170
	525030	MA - Gross Local Payments	(1,264,460)
	525050	CWS - Foster Care	4,446,902
	525060	Safety Net Assist	(7,367,000)
	525091	Child Care-Title XX	226,853
	525092	Child Care – CCBG	(42,293)
	525130	State Training Schools	(3,553,888)
	525140	HEAP Program Costs	820,570
	525150	DSH Expense	6,879,674
	530000	Other Expenses	(574,336)
	530010	Chargebacks	(646,715)
	530030	Pivot Wage Subsidies	159,553
	<u>DSS Total</u>		<u>(720,612)</u>
500	ECMC		
	502000	Fringe Benefits	270,495
	<u>ECMC Total</u>		<u>270,495</u>
510	EC Home		
	502000	Fringe Benefits	62,616
	<u>EC Home Total</u>		<u>62,616</u>
10210	Division of Budget & Management		
	500000	Full Time - Salaries	11,389
	500010	Part Time - Wages	(8,133)
	502000	Fringe Benefits	(28,200)
	530000	Other Expenses	(3,256)
	<u>Budget & Mgmt. Total</u>		<u>(28,200)</u>
11200	Comptroller		
	502000	Fringe Benefits	(55,000)
	<u>Comptroller Total</u>		<u>(55,000)</u>
11400	District Attorney		
	502000	Fringe Benefits	(270,276)
	<u>District Attorney Total</u>		<u>(270,276)</u>
11510	Sheriff Division		
	500000	Full Time - Salaries	(107,648)
	500010	Part Time - Wages	(29,735)

	500030	Seasonal Emp. Wages	(13,107)
	500320	Uniform Allowance	(14,250)
	500330	Holiday Worked	(18,140)
	500340	Line-Up	11,170
	501000	Overtime	405,870
	502000	Fringe Benefits	(48,685)
	Sheriff Division Total		185,475
116	Jail Management		
	500000	Full Time - Salaries	(1,280,540)
	500010	Part Time - Wages	(31,722)
	500350	Other Employee Payments	(67,500)
	501000	Overtime	1,266,602
	502000	Fringe Benefits	(45,862)
	505400	Food & Kitchen	(121,000)
	Jail Management Total		(280,022)
12220	DPW Building & Grounds		
	500000	Full Time - Salaries	(457,972)
	501000	Overtime	(46,245)
	502000	Fringe Benefits	504,217
	DPW Building & Grounds Total		0
12230	DPW Weights & Measures		
	502000	Fringe Benefits	27,488
	DPW Weights & Measures Total		27,488
12410	MH - Program Admin.		
	502000	Fringe Benefits	(58,365)
	517581	Court Ordered-MH Srv	149,985
	517637	Heritage Ctrs OPWDD	(149,985)
	MH - Program Admin. Total		(58,365)
12420	Forensic MH Services		
	502000	Fringe Benefits	(24,297)
	Forensic MH Services Total		(24,297)
12520	Youth Detention		
	500000	Full Time - Salaries	(296,779)
	500010	Part Time - Wages	68,809
	501000	Overtime	115,683
	502000	Fringe Benefits	177,740
	516020	Pro Ser Cnt and Fees	(65,453)

	<hr/>			<hr/>	0
	<hr/>			<hr/>	
12610	Probation Division				
	500000	Full Time - Salaries			(142,604)
	500350	Other Employee Payments			(21,362)
	502000	Fringe Benefits			289,078
				<hr/>	
		Probation Division Total			125,112
				<hr/>	
12700	Health Division				
	500000	Full Time - Salaries			(136,826)
	500010	Part Time - Wages			(17,000)
	500020	Regular PT - Wages			(40,615)
	500300	Shift Differential			10,121
	501000	Overtime			59,369
	502000	Fringe Benefits			67,336
	505800	Medical & Hlth Supplies			(25,000)
	516020	Pro Ser Cnt and Fees			(70,000)
	516050	Dept Payments-ECMCC			(33,000)
				<hr/>	
		Health Division Total			(185,615)
				<hr/>	
12720	Emergency Medical Services				
	500000	Full Time - Salaries			(32,000)
	502000	Fringe Benefits			(60,282)
				<hr/>	
		Emergency Medical Services Total			(92,282)
				<hr/>	
12730	Public Health Lab				
	500000	Full Time - Salaries			(163,185)
	502000	Fringe Benefits			61,459
	510000	Local Mileage Reimbursement			12,289
	561410	Lab & Tech Eqt			1,127
				<hr/>	
		Public Health Lab Total			(88,310)
				<hr/>	
12740	Medical Examiner				
	500000	Full Time - Salaries			(38,750)
	501000	Overtime			38,750
	502000	Fringe Benefits			(77,060)
				<hr/>	
		Medical Examiner Total			(77,060)
				<hr/>	
12750	Special Needs				
	500000	Full Time - Salaries			(28,558)
	502000	Fringe Benefits			28,558
	528000	Svcs Spec Need Child			(227,023)
	528010	Srvs Early Invention Program			227,023

	Special Needs Total	0
12760	Correctional Health	
	500000 Full Time - Salaries	(448,952)
	500020 Regular PT - Wages	(2,710)
	500300 Shift Differential	28,164
	500330 Holiday Worked	30,275
	500340 Line-Up	15,098
	501000 Overtime	103,660
	502000 Fringe Benefits	(139,270)
	505800 Medical & Health Supplies	(226,498)
	516020 Pro Ser Cnt and Fees	548,433
	516050 Dept Payments-ECMCC	(47,470)
	Correctional Health Total	(139,270)
14010	County-wide Acct Budget	
	504990 Reductions Personal Services	2,000,000
	520070 Buffalo Bills Maintenance	(29,172)
	520072 Working Capital Assistance	(34,921)
	559000 County Share-Grants	(126,205)
	Cty-wide Acct Budget Total	1,809,702
14030	Community College	
	520020 Co Res Enrolled Other Comm Coll	974,932
	Community College Total	974,932
15000	Board of Elections	
	500000 Full Time - Salaries	(206,000)
	500010 Part Time - Wages	(108,550)
	500020 Regular PT - Wages	(34,190)
	500330 Holiday Worked	(20,293)
	501000 Overtime	(57,725)
	502000 Fringe Benefits	(162,744)
	505000 Office Supplies	(45,828)
	516020 Pro Ser Cnt and Fees	(222,060)
	545000 Rental Charges	(127,856)
	Board of Elections Total	(985,246)
16010	Law Division	
	500000 Full Time - Salaries	(20,073)
	500350 Other Employee Payments	20,073
	Law Division Total	0

16110	Personnel		
	500000	Full Time - Salaries	(13,525)
	500350	Other Employee Payments	13,859
	505000	Office Supplies	(334)
	<hr/> Personnel Total		<hr/> 0
16200	Environment & Planning		
	500000	Full Time - Salaries	(114,035)
	502000	Fringe Benefits	(99,570)
	<hr/> Environment & Planning Total		<hr/> (213,605)
16410	Parks		
	500000	Full Time - Salaries	(105,141)
	502000	Fringe Benefits	(132,519)
	<hr/> Parks Total		<hr/> (237,660)
16500	Central Police Services		
	500000	Full Time - Salaries	(4,713)
	500350	Other Employee Payments	(11,174)
	502000	Fringe Benefits	15,887
	<hr/> Central Police Services Total		<hr/> 0
16700	Emergency Services		
	500010	Part Time - Wages	(10,115)
	501000	Overtime	10,115
	<hr/> Emergency Services Total		<hr/> 0
1650060	Traffic Safety/DWI		
	502000	Fringe Benefits	13,620
	516010	Cnt Pmts-Non Pro Pur	(13,620)
	<hr/> Traffic Safety/DWI Total		<hr/> 0
	<hr/> <hr/> Total General Fund 110 Expense Adjustments		<hr/> <hr/> 0

Highway Fund 210 - Expense Adjustments

123	Highways (DPW)		
	500000	Full Time - Salaries	(677,166)
	500030	Seasonal Emp. Wages	(111,373)
	500300	Shift Differential	(37,819)
	500330	Holiday Worked	(458)
	501000	Overtime	211,627
	502000	Fringe Benefits	615,189
	<hr/> Highways (DPW) Total		<hr/> 0

Sewer Fund 220 - Expense Adjustments

18010	Sewerage Management		
	500030	Seasonal Emp. Wages	(13,612)
	500350	Other Employee Payments	13,612
	<hr/> Sewerage Management Total		0

E-911 Fund 230 - Expense Adjustments

11510	Sheriff Division		
	500000	Full Time - Salaries	(6,865)
	501000	Overtime	16,961
	502000	Fringe Benefits	54,385
	<hr/> Sheriff Division Total		64,481

12720	Emergency Medical Services		
	500000	Full Time - Salaries	(39,059)
	501000	Overtime	17,795
	502000	Fringe Benefits	21,264
	<hr/> Emergency Medical Services Total		0

16500	Central Police Services		
	500000	Full Time - Salaries	(98,763)
	501000	Overtime	42,239
	502000	Fringe Benefits	161,268
	515000	Utility Charges	(169,225)
	<hr/> Central Police Services Total		(64,481)

<hr/> Total E-911 Fund 230 Expense Adjustments			0
--	--	--	---

Debt Service Fund 310 - Expense Adjustments

17200	General Debt		
	Revenue		
	445070	Prem On Obligations	3,770,618
	445180	Inter-Long Term L Re	2,121,340
	466350	Prin-Long Term L Re	4,817,369
	475030	Bond Proc-Adv Refund	24,615,000
	486010	Resid Equity Tran-In	278,688
	<hr/> General Debt Revenue Total		35,603,015

	Expense		
	550000	Principal - Bonds	95,000
	550010	Prin-Long Term Loan	4,050,000
	550110	Bond Issue Costs	351,980

550120	Pay Refund Bond Escr	28,021,872
550800	Interest - Bonds	(806,087)
550810	Inter-Long Term Loan	3,890,250
<hr/>		
	General Debt Expense Total	35,603,015
<hr/>		
	Fund 310 General Debt Net	0
<hr/>		
17500	Debt Service SD 3/South Expense	
550000	Principal - Bonds	108,612
550800	Interest - Bonds	(108,612)
<hr/>		
	Debt Service SD3/South Total	0

and be it further

RESOLVED, that the County Executive is hereby authorized to amend the contract of the International Institute budgeted in the Department of Social Services to increase 2015 funding by \$22,000, account 516450 as indicated in the above chart, to provide for the unanticipated cost of interpretative services required for Social Service clients; and be it further

RESOLVED, that authorization is provided to re-appropriate available 2015 funding established as fund reservations into 2016 for the following items:

- Division of Information and Support Services
 - \$5,360 for technology improvements
 - \$60,000 for an Employee Self Service enhancement study
 - \$220,000 for utility expense including Child Protection cell phones
- County Clerk Registrar
 - \$20,000 for Lab and Tech equipment
- County Clerk Auto Bureau
 - \$20,000 for various equipment items
- Department of Social Services
 - \$26,777 for various community agencies
 - \$1,207,088 for increases in the Indigent Care Medicaid charges
- Buildings and Grounds
 - \$30,000 for various maintenance items
 - \$360,000 for Family Court Lobby Renovations through capital project A.15080
- Medical Examiner
 - \$3,000 for training
- Risk Retention
 - \$423,441 for the Risk Retention Fund
- Environment and Planning
 - \$62,622 for a fiber optic broadband Internet feasibility study
 - \$16,500 for the Fish Advisory Board fish map
- Highways

\$5,000,000 for various road and bridge improvements and heavy equipment

- Library
\$231,363 for library book, materials and equipment

and be it further

RESOLVED, that authorization is provided to transfer available 2015 funding for additional designations and establish re-appropriations into 2016 as follows:

- Fleet Services
 - \$61,000 for the procurement of new automatic vehicle locator devices
 - \$80,000 for the Gasboy security camera project
- Social Services
 - \$100,000 for moving expenses associated with the exiting of leased space
- Youth Services
 - \$80,000 for Operation Prime Time
 - \$50,000 for Youth Detention security enhancements
- Department of Law
 - \$1,576,559 for the Risk Retention Fund
 - \$975,000 for foreclosure action
 - \$106,502 for a new position of assistant county attorney to address ECC matters (Comm. 3E-17)
- Department of Health
 - \$750,000 for expanded lead poisoning prevention services (Comm. 6E-8)
 - \$375,595 for the opioid crisis response plan (Comm. 6E-9)
- Environment and Planning
 - \$36,000 for Seneca Bluffs acquisition expense
 - \$75,000 for an environmental impact analysis concerning plastic bags
- County-wide Comptroller
 - \$331,407 for RAN interest expense
- Countywide Budget Accounts
 - \$5,000,000 for Intergovernmental Transfer payments associated with ECMCC

and be it further

RESOLVED, that authorization is hereby provide to make the following 2015 budget adjustments in order to establish funding for the re-appropriations outlined in the preceding resolve:

Designations			
General Fund 110 - Expense Adjustments			
10710	Fleet Services		
	505600	Auto Truck & Hvy Eq Sup	(141,000)
	561410	Lab and Tech Eqp	141,000
	<hr/> Fleet Services Total		<hr/> 0
120	Social Services		

	525000	MMIS-Medicaid Local Share	(106,502)
	561420	Office Equipment	100,000
	Social Services Total		(6,502)
12530	Youth Services		
	517749	Operation Prime Time	80,000
	516020	Professional Services	(50,000)
	570050	Inter-fund Transfer Capital	50,000
	Youth Services Total		80,000
12730	Public Health Lab		
	530000	Lead Poisoning Prevention	750,000
	530000	Opioid Crisis Response	375,595
	Public Health Lab Total		1,125,595
14010	County-wide Acct Budget		
	525010	IGT Expense	5,000,000
	Risk Retention Total		5,000,000
16010	Law Division		
	516042	Foreclosure Action	975,000
	530000	County Attorney for ECC	106,502
	Law Division Total		1,081,502
16020	Risk Retention		
	555000	General Liability	1,576,559
	Risk Retention Total		1,576,559
16200	Environment and Planning		
	516020	Pro Ser Cnt and Fees	36,000
	Environment and Planning Total		36,000
17000	County-wide Accounts Comptroller		
	551200	Interest - RAN	331,407
	County-wide Acct Comptroller Total		331,407
	Total Designations Expense		9,224,561

Designations

General Fund 110 - Revenue Adjustments

120	Social Services		
	411490	FA - TANF FFFS	1,817,510
	411610	FA-Serv/Recipients	1,931,200

466070 Refunds P/Y Expenses	5,475,851
Total Designations Revenue	9,224,561
Designations Net Impact	0

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any required 2015 and 2016 budgetary adjustments to implement the budgetary amendments and re-appropriations authorized in this resolution; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any further 2015 Budget adjustments that may be required based on inter-departmental budget balancing or adjusting entries identified by the Erie County Comptroller or the County's independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements and for no other purpose; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive, the County Attorney, the Office of the Comptroller and the Director of Budget and Management.

MR. LORIGO moved to amend the item. MR. RATH seconded.

MR. LOUGHRAN moved to further amend the item. MR. SAVAGE seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS and MR. SAVAGE. NOES: MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. (AYES: 5; NOES: 6)

FAILED.

CHAIR MILLS moved the previous question, and directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

Amend Comm. 7E-17 (2016) as Follows:

Delete the third RESOLVED clause and replace with the following:

RESOLVED, that authorization is provided to re-appropriate available 2015 funding established as fund reservations into 2016 for the following items:

- Division of Information and Support Services
\$220,000 for utility expense including Child Protection cell phones
- Department of Social Services
\$26,777 for various community agencies
\$1,207,088 for increases in the Indigent Care Medicaid charges
- Risk Retention
\$423,441 for the Risk Retention Fund
- Environment and Planning
\$16,500 for the Fish Advisory Board fish map
\$62,622 for a fiber optic broadband Internet feasibility study
- Highways
\$5,000,000 for various road and bridge improvements and heavy equipment
- Library
\$231,363 for library book, materials and equipment;

and, be it further

Add the following three RESOLVED clauses after the amended third RESOLVED clause:

RESOLVED, that the Opioid Crisis Response Plan has been previously approved and funding authorized in Comm. 6E-9; and, be it further

RESOLVED, that in passing Comm. 6E-8, the Lead Poisoning Prevention Services, this honorable body has previously memorialized its commitment to fund the program pending receipt of a federal HUD grant related to Lead Hazard Remediation; and, be it further

RESOLVED, that ECC has had great success recently reducing their long-term costs through offering early-retirement incentives to their employees and have identified additional employees eligible for early-retirement. Early retirement costs are estimated at significantly more than the \$1,000,000 currently on offer from the County and all of the funding will be utilized for this stated purpose; and, be it further

Delete the fourth RESOLVED clause and replace with the following:

RESOLVED, that authorization is provided to transfer available 2015 funding for additional designations and establish re-appropriations into 2016 as follows:

- Youth Services
\$80,000 for Operation Prime Time
\$50,000 for Youth Detention security enhancements
- Department of Law
\$975,000 for foreclosure action
- Department of Health
\$375,595 for the opioid crisis response plan (Comm. 6E-9)
\$750,000 for expanded lead poisoning prevention services (Comm.6E-8)

- Environment and Planning
\$36,000 for Seneca Bluffs acquisition expense
- County-wide Comptroller
\$331,407
- Erie County Community College
\$1,000,000 for early retirement incentives

and, be it further

Delete the fifth RESOLVED clause and replace with the following:

RESOLVED, that authorization is hereby provided to make the following 2015 budget adjustments in order to establish funding for the re-appropriations outlined in the preceding resolve:

Designations

General Fund 110 – Expense Adjustments

12530 Youth Services

517749 Operation Prime Time 80,000

516020 Professional Services (50,000)

570050 Inter-fund Transfer Capital 50,000

Youth Services Total 80,000

12730 Public Health Lab

530000 Opioid Crisis Response 375,595

530000 Lead Poisoning Prevention 750,000

Public Health Lab Total 1,125,595

16010 Law Division

516042 Foreclosure Action 975,000

Law Division Total 975,000

16020 Risk Retention

555000 General Liability 576,559

Risk Retention Total 576,559

16200 Environment & Planning

516020 Pro Ser Cnt and Fees 36,000

Environment & Planning Total 36,000

17000 County-wide Accounts Comptroller

551200 Interest – RAN 331,407

County-wide Acct Comptroller Total 331,407

14030 Community College

570030 Interfund Subsidy - ECC 1,000,000

Community College Total 1,000,000

<hr/>		
Total Designations Expense		1,485,595
<hr/>		
Designations		
General Fund 110 – Revenue Adjustments		
120 Social Services		
411490 FA – TANF FFFS		625,481.95
411610 FA-Serve/Recipient		664,607.48
466070 Refunds P/Y Expenses		1,884,873.61
Total Designations Revenue		3,174,561.00
<hr/>		
Designations Net Impact		0
<hr/>		

and, be it further

Add the following three (3) RESOLVED clauses after the amended fifth RESOLVED clause to read as follows:

RESOLVED, that the funding allocated for Erie Community College is intended as one time revenue to be solely used to offer an early retirement incentive and is not to be counted as part of the county’s ongoing “maintenance of effort”; and, be it further

RESOLVED, that the Director of Budget and Management is hereby directed to account for the necessary changes as indicated in the amended third and fourth RESOLVED clauses; and be it further

RESOLVED, that this honorable body hereby states that none of the rejected funding was done out of prejudice towards those causes and it hereby shows a willingness to work on any of these items on a case-by-case basis; and, be it further

Amend the sixth and seventh resolved clauses to read as follows:

RESOLVED, that the Director of Budget and Management is hereby directed to make any required 2015 and 2016 budgetary adjustments to implement the budgetary amendments and re-appropriations authorized in this resolution; and, be it further

RESOLVED, that the Director of Budget and Management is directed to make any further 2015 Budget adjustments that may be required based on inter-departmental budget balancing or adjusting entries identified by the Erie County Comptroller or the County’s independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements and for no other purpose; and, be it further

All other RESOLVED clauses are to remain in the final resolution.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 27 – MR. LORIGO moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 8E-20. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 87

RE: Authorization to Enter Into a Contract
with TheSheriffApp.com - Mobile
Device Application
(COMM. 8E-20, 2016)

WHEREAS, with a population of nearly 1 million persons in Erie County, a mobile app will provide a new level of service to the community and improved two-way communication with the sheriff's office; and

WHEREAS, the app will have numerous features which allow individuals with access to only mobile devices, to check the status of an inmate, deposit funds into inmate accounts and access methods and providers of bail or bond; and

WHEREAS, this app has many features for up-to-the-minute alerts during emergency situations; and

WHEREAS, one of the key features will allow users who download the app to submit anonymous tips, with photos, about crimes and narcotic activity in their neighborhood; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with TheSheriffApp.com; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the County Executive, the Erie County Comptroller, the Division of Purchase and the Chief of Administration of the Sheriff Office for implementation.

MR. LORIGO moved to amend the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Delete the item in its entirety, and replace with the following:

WHEREAS, with a population of nearly 1 million persons in Erie County, a mobile app will provide a new level of service to the community and improved two-way communication with the sheriff's office; and

WHEREAS, the app will have numerous features which allow individuals with access to the internet only through mobile devices to check the status of an inmate, deposit funds into inmate accounts and access methods and providers of bail or bond; and

WHEREAS, this app has many features for up-to-the-minute alerts during emergency situations; and

WHEREAS, one of the key features will allow users who download the app to submit anonymous tips, with photos, about crimes and narcotic activity in their neighborhood; and

WHEREAS, TheSheriffApp.com provides the same services to multiple sheriff's offices throughout New York State which provides for similar training for agencies and ease of use for end users of the app; and

WHEREAS, the sheriff's office has received a "sole source" letter from TheSheriffsApp.com indicating the company is a sole source vendor for these specific services and it is necessary for the Legislature to waive the RFP procedures and award this contract as a professional service based on the review and evaluation of received documentation and research into mobile device applications.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby waive the procedures provided for in Section 19.08 of the Erie County Administrative Code for the purpose of securing the services of TheSheriffApp.com to be retained as to provide development and hosting services associated with the mobile device application; and be it further

RESOLVED, that the Erie County Executive and the Erie County Sheriff's Office are hereby authorized to execute an agreement with TheSheriffApp.com for a period of one year at the prices stated in proposal; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies to the Division of Budget and Management, the County Executive, the Erie County Comptroller, the Division of Purchase, the County Attorney's Office, and the Chief of Administration of the Sheriff Office for implementation.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 28 – MR. LORIGO moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of INTRO. 5-3. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 88

RE: Amendment to 2016 Rules of Order

Regarding Debate During Session
(COMM. INTRO. 5-3, 2016)

WHEREAS, the Erie County Legislature would like to amend the Erie County Rules of Order for the Erie County Legislature; and

WHEREAS, one day notice is required to be filed with the Clerk of the Legislature pursuant to section 5.09 of the 2016 rules.

NOW, THEREFORE, BE IT

RESOLVED, amend section 2.14 LIMITATION ON TIME OF SPEECH of the Erie County Legislative Rules of Order to read as follows:

2.14 [LIMITATION ON TIME OF SPEECH] DEBATE

No member shall speak more than five minutes at any one time, nor more than twice on the same question without permission by majority vote. However, all members shall be given an opportunity to explain their vote during a recording of ayes and noes pursuant to Rule 2.18 of this section.

During any debate occurring on the floor of the Legislature the lead sponsor, or his or her designee, in debate may be directly addressed with questions specifically relating to the item in front of the Legislature. Direct questions shall count as one of the two opportunities to speak and the member asking questions will be afforded the entirety of their time. All questions must be confined to the limitations otherwise imposed in this Rule.

The response from the lead sponsor, or his or her designee, must be related to the question asked and may be reasonably limited at the discretion of the Chair of the Legislature. For the purposes of this Rule the lead sponsor shall be the member whose name is listed first on the item at debate. The lead sponsor's responses shall not count against his or her time allowances afforded under this section.

This rule does not apply to the vote explanation allowed pursuant to 2.18, no questions are allowed during that time

RESOLVED, amend section 2.18 RECORDING AYES AND NOES of the 2016 Rules of Order to read as follows:

2.18 RECORDING AYES AND NOES:

On a roll call, the ayes and noes shall be taken without explanation on any question wherever so required by law, or by any member, and whenever so taken shall be entered in the proceedings of the Legislature, and the Clerk shall record the names of the members and the way each shall have respectively voted. The roll is called of the minority members first, in alphabetical order, followed immediately by the majority members, in alphabetical order. Each member, as his or her name is called, shall respond in the affirmative or in the negative, as the case may be. Every member is entitled one (1) additional minute to explain their vote.

Each member, however, shall be allowed to pass on the first call of the roll. To verify the vote and to correct possible errors, and to allow such members as passed on the first call of the roll; the Clerk shall repeat the call of the roll once, and only once.

RESOLVED, this honorable body hereby authorizes the Clerk of the Legislature to amend the numbering of the 2016 Rules of Order as necessary.

MR. LORIGO moved to approve the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 29 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 9-1 from LEGISLATOR SAVAGE. Re: Moving City of Buffalo School Board Elections to November

Received and referred to the GOVERNMENT COMMITTEE.

Item 30 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-15 from the COUNTY EXECUTVE. Re: Department of Emergency Services - Advanced Technique Hazmat Training

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 31 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-16 from the COUNTY EXECUTIVE. Re: Department of Parks - Proposed Metal Detecting Regulations

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 32 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-17 from the COUNTY EXECUTVE. Re: Locally Administered Federal Aid Project Agreement - Bridge Replacement Swift Mills Rd Over Murder Creek, Town of Newstead

MR. LORIGO moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 89

WHEREAS, the Swift Mills Rd. Bridge Project PIN 5757.29, the "Project", is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie previously advanced the Project by making a commitment of 100% of the Non-Federal share of the costs of the Design via Legislative Communication 18E-17 dated November 7, 2013; and

WHEREAS, the County of Erie desires to accept the New York State Marchiselli funds appropriated for the Design phase and advance the Construction phase of the Project by making a commitment for the Federal and Non-Federal share of the costs of the project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Swift Mills Road over Murder Creek bridge replacement Federal Aid project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Budget for Design, Fund 420, BA 123, Project B.20937, 2009 Swift Mills Road Bridge Design, be increased by the amount of anticipated New York State Marchiselli revenue in accordance with the Supplemental Agreement as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
405160	Marchiselli Aid	0	\$ 33,750	\$ 33,750
414000	Federal Aid	\$180,000	\$ 0	\$ 180,000
475000	Gen Oblig Bond Proc	<u>\$108,800</u>	<u>\$ 0</u>	<u>\$ 108,800</u>
TOTAL REVENUES		<u>\$288,800</u>	<u>\$ 33,750</u>	<u>\$ 322,550</u>

APPROPRIATIONS

Capital Projects	Capital Project Exp	<u>\$288,800</u>	<u>\$ 33,750</u>	<u>\$ 322,550</u>
TOTAL APPROPRIATIONS		<u>\$288,800</u>	<u>\$ 33,750</u>	<u>\$ 322,550</u>

; and be it further

RESOLVED, that the Project Budget for the Construction phase, Fund 420, BA123, SAP B.14008, 2014 5757.29 Swift Mills Bridge Construction, be increased by the amount of anticipated Federal and New York State Marchiselli revenue in accordance with the Supplemental Agreement as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
405160	Marchiselli Aid	\$ 0	\$ 150,000	\$ 150,000
414000	Federal Aid	\$ 660,000	\$ 140,000	\$ 800,000
445070	Prem On Obligations	\$ 22,056.50		\$ 22,056.50
475000	Gen Oblig Bond Proc	<u>\$142,943.50</u>	<u>\$ 0</u>	<u>\$ 142,943.50</u>
TOTAL REVENUES		<u>\$ 825,000</u>	<u>\$ 290,000</u>	<u>\$ 1,115,000</u>
APPROPRIATIONS				
CAPITALPROJECT	Capital Project Exp	\$ 165,000	\$ 950,000	<u>\$ 1,150,000</u>
UNALLOCATED	Unallocated Capital	<u>\$ 660,000</u>	<u>\$ (660,000)</u>	<u>\$ 0</u>
TOTAL APPROPRIATIONS		<u>\$ 825,000</u>	<u>\$ 290,000</u>	<u>\$ 1,115,000</u>

; and be it further

RESOLVED, that the estimated total sum of the construction and construction inspection Phase of the Project in the amount of \$1,000,000 is hereby appropriated from Fund 420, BA123, B.14008, 2014 Swift Mills Bridge Construction and made available to cover the cost of participation in the Construction phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's construction and construction inspection Phases exceeds the amount appropriated, \$1,000,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval

as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

Item 33 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-18 from the COUNTY EXECUTVE. Re: Award of Construction and Construction Inspection - Bridge Replacement Swift Mills Rd Over Murder Creek, Town of Newstead

MR. LORIGO moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 90

WHEREAS, the Department of Public Works scheduled a competitive bid for the Swift Mills Rd. Bridge Replacement Project PIN 5757.29, the "Project" for Thursday, April 28, 2016; and

WHEREAS, the total construction phase is estimated at \$1,175,000.00; and

WHEREAS, it is desired to award a construction contract to the lowest responsible bidder, amend project designer Nussbaumer & Clarke Inc.'s contract to include construction phase engineering and inspection services, and establish a Project contingency; and

WHEREAS, it is necessary to execute various utility agreements for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, Fund 420, BA 123, SAP B.14008-2014- 5757.29 Swift Mills Bridge in the amount of \$1,115,000.00 and SAP B.15011- 2015 - Preservation of Bridge, Construction in the amount of \$60,000.00 for a total not to exceed \$1,175,000.00 be made available for the Project; and be it further

RESOLVED, that the County Executive is authorized and is hereby directed to execute Project utility agreements at no cost; and be it further

RESOLVED, that the County Executive is authorized to execute a construction agreement between the County of Erie and the lowest responsible bidder and a Contract Amendment for construction phase engineering and inspection services with Project design engineers Nussbaumer & Clarke, Inc. for the Swift Mills Rd. Bridge Replacement Project PIN 5757.29; and be it further

RESOLVED, that the County Executive is authorized to establish a project contingency and execute project related change orders; and be it further

RESOLVED, that the total cost of the construction phase of the Project shall not exceed \$1,175,000.00; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 34 – (COMM. 9E-1) Rath Building - Social Services - First Floor Renovations Project

Item 35 – (COMM. 9E-2) Supreme Court Law Library Renovations - Alternate Bid 1

Item 36 – (COMM. 9E-3) 2016 EC Health Department - Building 17 Roof Replacement Project

Item 37 – (COMM. 9E-4) PILOT Agreement - Niagara Gateway Apartments, City of Buffalo - Affordable Housing Development

The above four items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 38 – (COMM. 9E-5) EC Wastewater Treatment Plants - Proposed Name Change - Water Resource Recovery Facilities

Item 39 – (COMM. 9E-6) Appointment of Commissioner of Department of Environment & Planning

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER

Item 40 – (COMM. 9E-7) Performance Audit of Department of Public Works - Division of Fleet Services for Period Jan. 1, 2014 - Dec. 31, 2014

Item 41 – (COMM. 9E-8) Interim Financial Report for Three-Month Period Ended Mar. 31, 2016

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 9E-9) NYS Executive Order 151- Homelessness During Inclement Winter Weather - Code Blue

Item 43 – (COMM. 9E-10) 2016 Youth Development Programing Grant

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 44 – (COMM. 9E-11) Department of Emergency Services - Acceptance of FY14 Hazardous Materials Emergency Preparedness Grant

Item 45 – (COMM. 9E-12) Department of Emergency Services - Acceptance of FY15 Hazardous Materials Emergency Preparedness Grant

Item 46 – (COMM. 9E-13) Department of Emergency Services - Acceptance of FY16 State Homeland Security Program (SHSP) Funds

The above three items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 47 – (COMM. 9E-14) Use of Medical Specialists to Review Work Related Injury Cases

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMPTROLLER'S OFFICE

Item 48 – (COMM. 9D-1) Notice of Audit of Division of Information & Support Services Information Backup Procedures

Received and filed.

FROM THE DEPARTMENT OF BUDGET & MANAGEMENT

Item 49 – (COMM. 9D-2) Budget Monitoring Report for Period Ending Mar. 2016

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 50 – (COMM. 9D-3) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM PAUL WOLF

Item 51 – (COMM. 9M-1) Letter Regarding EC Charter Revision Commission

Item 52 – (COMM. 9M-2) Article Regarding 'Ethics Reform Needed in Erie & Niagara County'

The above two items were received and filed.

FROM ERIE COMMUNITY COLLEGE

Item 53 – (COMM. 9M-3) 2016-2017 ECC Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM VISIT BUFFALO NIAGARA

Item 54 – (COMM. 9M-4) 1st Quarter Report and Budget & Financial Statements for 2016

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE EC INDUSTRIAL DEVELOPMENT AGENCY

Item 55 – (COMM. 9M-5) 2015 Annual Audited Financial Statements and Management Letter, Public Authorities Report, Investment Report

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NFTA

Item 56 – (COMM. 9M-6) Actual and Projected Cash Flow Statements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ANNOUNCEMENTS

Item 57 – CHAIR MILLS announced the Erie County Charter Revision Commission will meet on May 12, 2016 at 6:00 p.m. at the Legislature.

Item 58 – CHAIR MILLS announced the committee schedule for May 19, 2016 has been distributed.

Item 59 – CHAIR MILLS announced the next regularly scheduled legislative session is May 26, 2016.

MEMORIAL RESOLUTIONS

Item 60 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Gayle M. Cryan, Dennis O’Sullivan and Janet Tamol.

Item 61 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Rev. Louis J. Guadagno, John F. McGrath and Theresa E. Wisniewski.

Item 62 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Thomas H. Grosskopf and Rev. Dr. Jesse Edward Nash Jr.

Item 63 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of Rev. Dr. Jesse Edward Nash Jr.

Item 64 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Ernestine A. Ballard and Rev. Dr. Jesse Edward Nash Jr.

Item 65 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Jordan N. Piechowicz and Dominic A. Pontillo Jr.

Item 66 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Gayle M. Cryan.

Item 67 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Gary W. Stanton.

ADJOURNMENT

Item 68 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, May 26, 2016 at 2:00 p.m. Eastern Standard Time. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, May 26, 2016 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE